

REMARKS

This Amendment is in response to the outstanding Official Action mailed October 28, 2002, the shortened statutory period for response being set to expire on January 28, 2003. In view of the above amendments and within remarks, reconsideration of the Examiner's rejection is respectfully requested.

The Examiner states that Applicant's Information Disclosure Statement filed on February 2, 2001 fails to comply with 37 C.F.R. § 1.98(a)(2), which requires a legible copy of each of the U.S. patents cited therein. The Examiner is reminded that the present application is a continuation-in-part of U.S. patent application No. 09/406,006 which was co-pending with the present application at the time of filing Applicant's Information Disclosure Statement. The '006 application has now matured into United States Patent No. 6,409,134. As stated in Applicant's Information Disclosure Statement, Applicant claims the benefit of the '006 application under 35 U.S.C. § 120. The Examiner's attention is directed to MPEP § 609 (I)(2) which negates the requirement of resubmitting the cited prior art. Notwithstanding the foregoing, and as a courtesy to the Examiner, Applicant submits herewith a copy of the identified prior art.

The Examiner has raised various objections to the drawings, including objections under 37 C.F.R. §§ 1.83(a) and 1.84(p)(5). Applicant submits herewith proposed drawing corrections which have been designated in red. Upon approval by the Examiner, Applicant will submit revised formal drawings adopting the proposed changes.

In consideration of certain of the Examiner's objections, it is pointed out to the Examiner that reference number 526 is disclosed in Applicant's specification on page 27, line 5, and reference number 472 on page 24, line 26.

D

Regarding the Examiner's objection under § 1.83(a), the Examiner states that the channel in communication with the first and second openings of the forearm extension must be shown in the drawings. The Examiner's attention is directed to Fig. 25 which clearly discloses the channel 428 in communication with the first and second openings. The Examiner's attention is further directed to Applicant's specification bridging paragraphs 0096 and 0097. Accordingly, the Examiner's objection is considered traverse and should therefore be withdrawn.

The Examiner has also objected to Applicant's specification, which has been amended as noted hereinabove. With respect to the recitation of element number 474 on page 26, lines 20, 23 and 25, this recitation is considered correct. That is, element number 474 refers to the adaptor receiving support, see Fig. 34, while element number 470 refers to the adaptor, also shown in Fig. 34.

The present application includes claims 1-32, 34 and 35, of which claims 1, 16 and 29 have been presented in independent form. In the Official Action, the Examiner has designated claims 29-32, 34 and 35 as being allowed. In addition, the Examiner has stated that dependent claims 6-12, 14, 15, 21-23 and 26-28 are objected to, but would be considered allowable if rewritten into independent form. As to the remaining claims, these claims have been rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by Gates, U.S. Patent No. 5,123,621. In view of the foregoing remarks, the Examiner's rejection is considered traverse and should therefore be withdrawn.

Turning to independent claim 1, the first endcap includes an opening extending therethrough in communication with the first opening within the forearm extension, thereby providing a cable pathway extending from the first endcap to the second opening of the forearm extension. Similarly as to

independent claim 16, there is recited that the extension arm has a cable pathway through the opening extending through the first endcap and the internally elongated channel within the forearm extension. This feature of Applicant's invention is not disclosed in *Gates*.

The Examiner states that *Gates* discloses "a cable pathway through the opening extending through the first endcap and the internal elongated channel." However, the Examiner does not specify how and where the structure of *Gates* provides this feature. This is not surprising as *Gates* does not contemplate the formation of a cable pathway as claimed by Applicant, and therefore, fails to disclose any structure of providing such a cable pathway. As shown in Figs. 1 and 2 of *Gates*, a U-shaped intermediate support 3 is pivotably coupled to a second arm section 4 by means of a screw 47. Thus, there is no opening extending through the intermediate support which is in communication with any opening within the second arm section. Rather, *Gates* merely discloses a pair of aligned holes, one in the bottom plate of the intermediate support and one in the top wall of the second arm section, which aligned holes are filled with a screw for connection. This construction precludes the formation of a cable pathway extending from the first endcap to the second opening of the forearm extension and the formation of a cable pathway extending through the first endcap and into the forearm extension.

Further with respect to independent claim 16, there is no disclosure in *Gates* of a forearm extension having an internally elongated channel opening upward and extending between the first and second ends thereof. As disclosed in *Gates*, the second arm section 4 has a solid top wall, but for two small holes at either end thereof. Accordingly, the Examiner's rejection of Applicant's claims as being anticipated

under 35 U.S.C. § 102(b) over *Gates* is considered traverse and should therefore be withdrawn.

In considering Applicant's within response, Applicant designates the rejected dependent claims as being allowable by virtue of their ultimate dependency upon submittedly allowable independent claims. Although Applicant has not separately argued the patentability of each of the dependent claims, Applicant's failure to do so is not to be taken as an admission that the features of the dependent claims are not themselves separably patentable over the prior art cited by the Examiner.

With respect to Applicant's dependent claims, by way of example, there is no disclosure in *Gates* of a channel member having an elongated opening between its first and second ends providing communication between the exterior of the channel member and the channel formed therein as set forth in claim 2. Further, there is no disclosure of the aforementioned channel being in communication with an opening extending through the first endcap as set forth in claim 3. Still further, there is no disclosure of a cable pathway extending through the internal elongated channel within the nested pairs of elongated members as set forth in claim 18. There is still further no disclosure of the opening in the first endcap providing communication to the exterior of the first endcap as disclosed in claim 19. Still even further, there is no disclosure of a cover removably attachable to the forearm extension overlying the internal elongated channel as set forth in claim 20. Accordingly, the Examiner's rejection of Applicants' dependent claims as being anticipated by *Gates* is considered traverse and should therefore be withdrawn.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.


Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that she telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which she might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: December 10, 2002

Respectfully submitted,

By 
Stephen B. Goldman
Registration No.: 28,512
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorneys for Applicant

LD-447A

Version With Markings to Show Changes Made to Specificaiton

[0091] As shown in Fig. 20, an electronic device 408 is attached to a tilter 302. The tilter, via its shaft 410 is rotatably mountable to the free end of the forearm extension ~~410~~110. The tilter 302 includes a shaft 412 about which the electronic device 408 can be pivoted. As such, the tilter 302 enables the rotation and pivoting or tilting of the electronic device 408 into a desired orientation. One such tilter 302 is described and disclosed in Applicant's co-pending U.S. Patent Application No. 09/406,350 filed on September 27, 1999, the disclosure of which is incorporated herein by reference.

[0097] The opening 428~~424~~ which extends through the forearm extension 110 is wholly or partially closed by a removable cable cover 430 as shown in Figs. 26 and 27. The cable cover 430 includes a top wall 432 from which there depends a plurality of ribs 434 of different length and height. The topwall 432 of the cable cover 430 is formed from an elongated section 436 and a circular section 438. The circular section 438 is adapted to be disposed over the female coupling 142, while the elongated section 436 is adapted to be received over the adjacent portion of the forearm extension 110. The ribs extend inwardly into the opening 428 and are sized so as to engage the sidewalls forming the forearm extension 110 and first female coupling 142. The friction fit effected by the ribs 434 maintains the cable cover 430 in position overlying the opening 428. The cable cover 430 has an end 440 which as shown is a semicircular section. However, it is to be understood that the end 440 may be straight or other shaped. The end 440, when the cable cover 430 is in position, terminates short of the location of the second female coupling 142 as shown in Fig. 19. As a result, an opening 442 is provided between the end 440 of the cable cover 430 and the second female coupling 144. It is not a requirement that

D

opening 442 be overlying or in alignment with opening 426 in the bottom wall 424.

[109] The assembly as thus far described, i.e., the swivel bolt 460 and swivel lug 462, may be inserted into an adapter receiving support 474. As shown in Fig. 34, the adapter receiving support 474 is in the nature of a hollow cylindrical body having a generally planar flanged top 520. The cylindrical body 518 forms a cylindrical through hole 522 having a size and shape adapted to receive the body 478 of the swivel bolt 460. The length of the cylindrical body 518 allows a portion of the swivel lug ~~562~~462 to extend outwardly therebeyond as shown in Fig. 44. The tilter 458 has been described thus far as including an adapter receiving support 474. The adapter receiving support 474 can be inserted into the opening 212 within the end of the forearm extension 110. However, it is to be understood that the adapter receiving support 474 may be eliminated. In this regard, the swivel bolt 460 will be inserted directly into the opening 218. As such, the adapter receiving support 474 can function as a liner or bearing for the opening 218 and can therefore be constructed from a variety of materials such as polymer materials, as well as metal if so desired.

[00112] The plate 526 is provided at one end with a configured wall 530 which defines a T-shaped opening 532. The T-shaped opening 532 is sized and configured so as to receive the T-shaped extension 506 on the adapter 470. As shown in Fig. 44, the T-shaped extension ~~506~~470 can be inserted into the T-shaped opening 532 and secured thereat by means of a bolt or set screw 534. In this manner, the electronic device 408 will be connected to the tilter 458 via the mounting bracket 475 to enable its rotation and pivoting or tilting as thus far described. The tilting orientation of the mounting bracket 475

D

Application No.: 09/776,355

Docket No.: INNOFF 3.0-010 CIP

can be fixed by tightening the set screw 468 to apply a sufficient force against the swivel lug 462 by means of the friction pellet 466.

Version With Markings to Show Changes Made to Claims

1. (AMENDED) An adjustable extension arm for mounting an electronic device thereto, said extension arm comprising a forearm extension having a first end and a second end for attachment of a device thereto, said forearm extension having a first opening at said first end and a second opening adjacent said second end, said first and second openings in communication with each other through a channel provided within said forearm extension between said first and second ends, a first endcap having a first end rotationally attached to said first end of said forearm extension, said first endcap having an opening extending therethrough in communication with said first opening within said forearm extension thereby providing a cable pathway extending from said first endcap to said second opening of said forearm extension, a second endcap having a first end attachable to a support structure, and elongated first and second channel members nested together to form a channel therebetween, said first and second channel members having first ends pivotably attached to said first endcap and second ends pivotably attached to said second endcap.

D